

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.<sup>1</sup>

PROMESA  
Title III

Case No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING DEFECTIVE PLEADINGS

The Court has received and reviewed the untitled response of Sheena Casey, pro se, as trustee for the Estate of Vera Bryant (Docket Entry No. 16821, the “Casey Pleading”), to the *Three Hundred Fourteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System for the Government of the Commonwealth of Puerto Rico to Claims for Which the Debtors are Not Liable* (Docket Entry No. 16638), filed by the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as well as the untitled opposition of Raymond L. Bodnar (together with Sheena Casey, the “Trustees”), pro se, as trustee for “Bodnar Trust U/A Dated 12/28/2001” (together with the Estate of Vera Bryant, the “Entities”) (Docket Entry No. 17214, the “Bodnar Pleading” and, together with the Casey Opposition, the “Trustee Pleadings”), to the *Three Hundred Fifty-Fifth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico and the Puerto Rico Highways and Transportation Authority to Partial Duplicate, Deficient, No Liability, and Incorrect Debtor Bond Claims* (Docket Entry No. 17096), filed by the Oversight Board.

<sup>1</sup> The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Trustee Pleadings were not filed by counsel to the Estate of Vera Bryant or to “Bodnar Trust U/A Dated 12/28/2001.” Artificial entities may not appear in this proceeding without counsel, as they are not natural persons. Rowland v. California Men’s Colony, 506 U.S. 194, 202-03 (1993) (explaining that corporations and other artificial entities can only appear in federal court through licensed counsel). See also, e.g., Riveredge Owners’ Ass’n v. Town of Cortlandt, Inc., 16-CV-5665 (GBD) (JLC), 2016 WL 6462387, at \*2 (S.D.N.Y. Nov. 1, 2016) (report and recommendation), *adopted*, 16 Civ. 5665 (GBD) (JLC), 2016 WL 7392218 (S.D.N.Y. Dec. 21, 2016). An exception to this rule exists where both (i) the trustees are the sole beneficiaries, and (ii) the entities that the trustees oversee have no creditors. See Guest v. Hansen, 603 F.3d 15, 21 (2d Cir. 2010); Bourne v. Gardner, 468 F. Supp. 3d 426, 427 (D. Mass. 2020).

Here, the Trustees are pro se and have not alleged that they fall within the narrow exception to the rule that artificial entities may not appear without counsel. Accordingly, the Trustee Pleadings are stricken. The deadline for the Trustees to submit corrected pleadings in response to the relevant omnibus objections is hereby extended to **September 21, 2021 at 4:00 p.m. (Atlantic Standard Time)**. Corrected pleadings must either (a) be filed by counsel, or (b) demonstrate entitlement to the narrow exception set forth above.

SO ORDERED.

Dated: August 31, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge